

**UNITED STATES
PATENT AND TRADEMARK OFFICE**





Patent Public Advisory Committee
Quarterly Meeting

Collaborative Search Pilots (CSP)

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International Work Sharing Planning and Implementation
Office of International Patent Cooperation

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UNITED STATES
PATENT AND TRADEMARK OFFICE



Offices and Applicants want a faster and cheaper examination of patent applications with more certainty as to rights granted and more consistent results across offices.



Email questions to CSP@USPTO.GOV



CSP 1.0 Pilots – Two Programs

- JPO/USPTO Pilot
 -  Commenced August 1, 2015 – expired July 31, 2017
 -  Serial initial search
 - Examiner consideration before search being provided to applicant
- KIPO/USPTO Pilot
 -  Commenced September 1, 2015 – expires August 31, 2017
 -  Parallel initial search
 - No examiner consideration before search being provided to applicant



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How Does CSP Achieve that Goal?

- CSP provides faster examination by
 - 🌐 Expediting examination in multiple offices
 - 🌐 Coordination of the timing of initial examination
 - Parallel prosecution in multiple offices
- CSP provides cheaper examination for both applicant and office by
 - 🌐 Reducing number of actions to complete examination by
 - Getting a search on common claims from examiners in different offices prior to examination – yielding a more complete prior art search before the examiner
- CSP provides more certainty by
 - 🌐 Providing art from different search databases, often in different languages
- CSP provides more consistent results by
 - 🌐 Providing similar actions in multiple offices using common art



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CSP Pilot Participation

	JPO	KIPO	Total
Applications with Petitions	53	87	141*
Granted Petitions	44	81	125
Denied Petitions	4	4	9*
Decision Pending	5	2	7
Notice of Allowance	20	26	46
Abandonments	0	0	0
Applications with at least one RCE	2	6	8
Applications with appeals	0	0	0

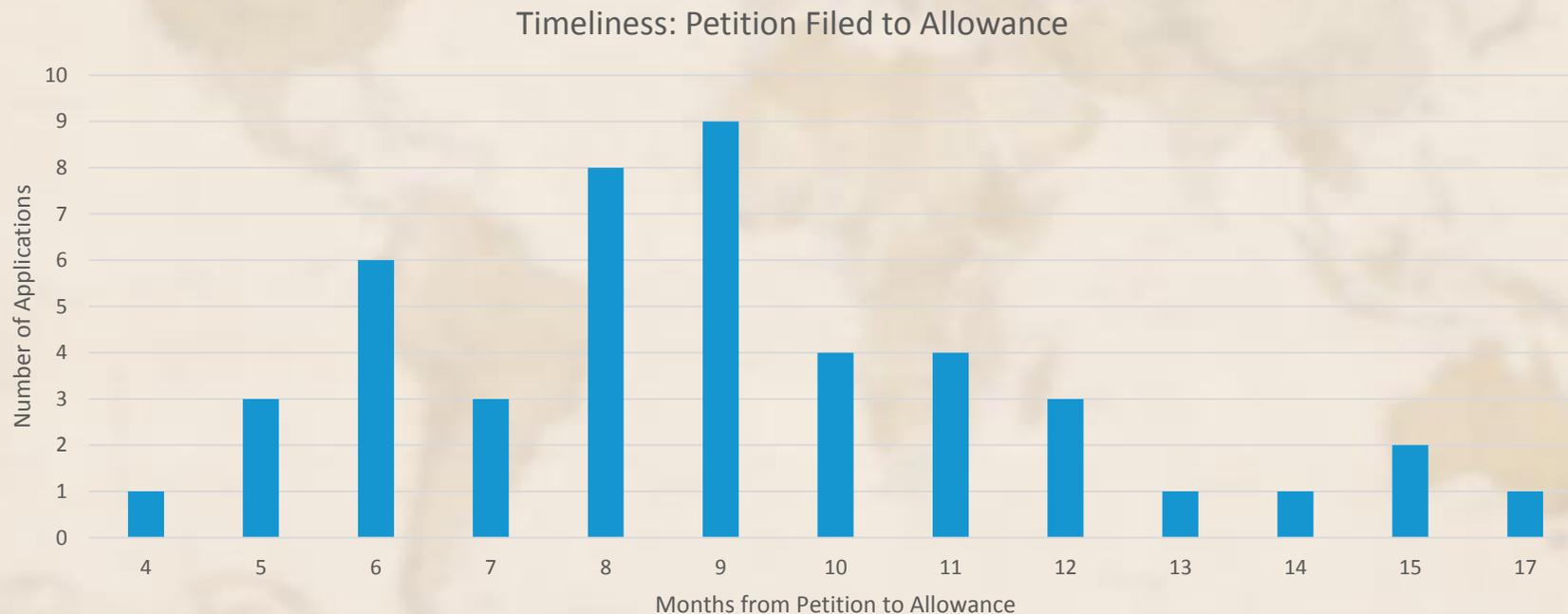
* 1 applicant filed petitions for both pilots



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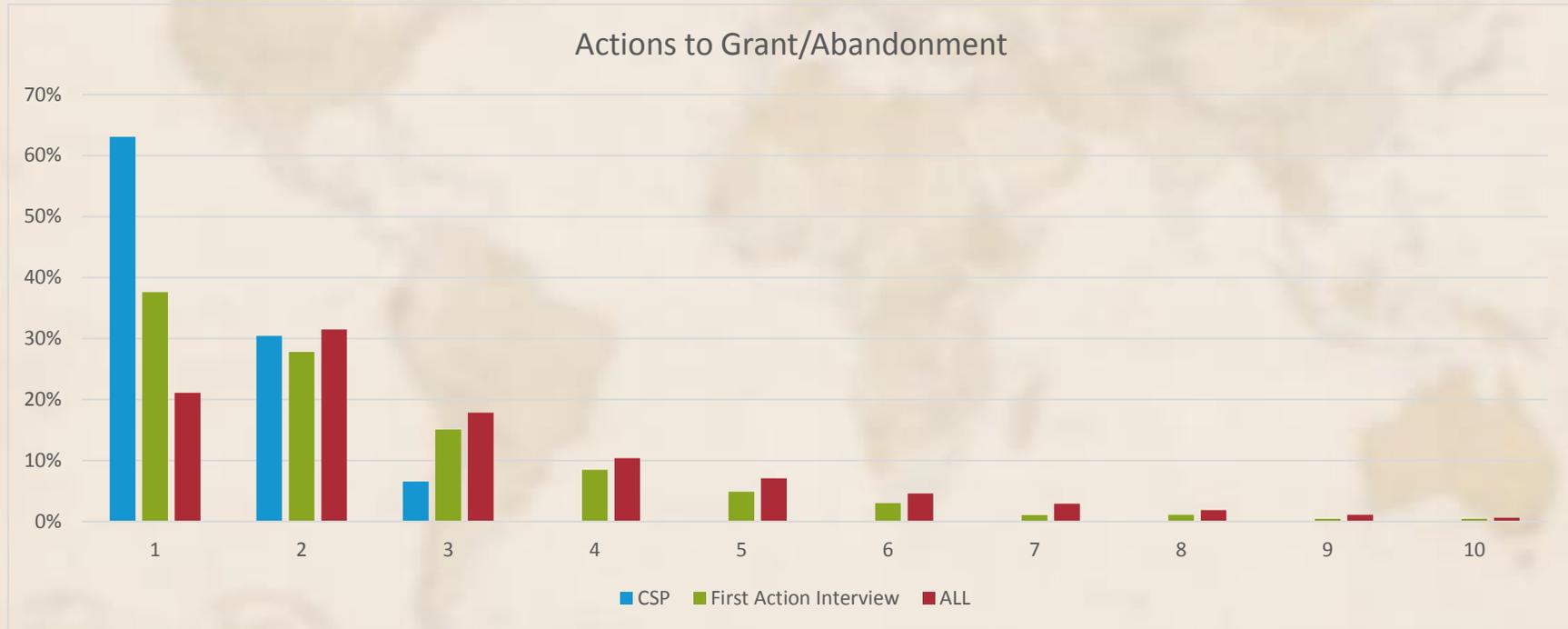
CSP 1.0 Pilots – Timeliness to Termination



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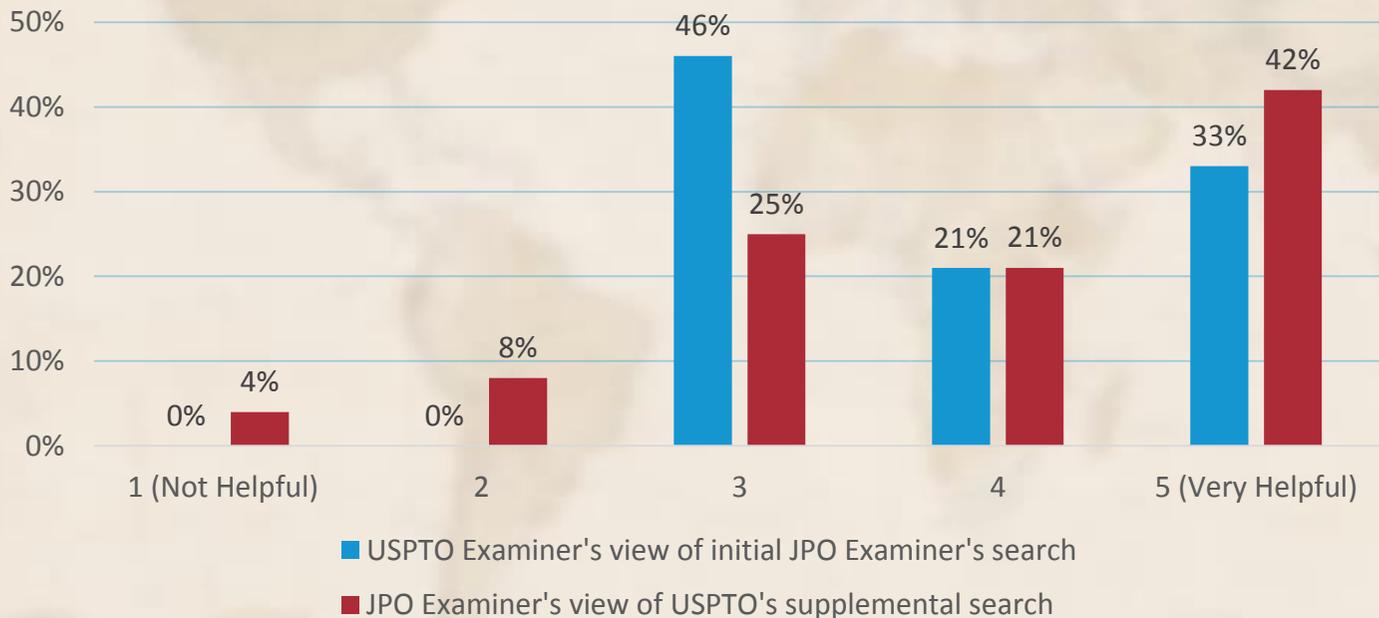
CSP 1.0 Pilots - Actions to Complete Prosecution



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Impacts of Work Sharing on Examination: JPO First/US Second Search



Note: Data from 24 completed JPO first search applications through July 10, 2017. JPO evaluations are in response to receiving USPTO examiner actions after they have already completed a first evaluation.



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US-JPO CSP 1.0 Analysis

- 29% of USPTO examiners modified their search strategy as a result of JPO search
- 100% of USPTO examiners gave a score of at least 3 out of 5 on helpfulness of initial JPO search; 37% gave a score of 5 out of 5
- 88% of JPO examiners gave a score of at least 3 out of 5 on helpfulness of supplemental USPTO search; 42% gave a score of 5 out of 5



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CSP – JPO 1.0 Findings

- Multiple examiner search before examination very beneficial
 - 🌐 Examiners indicated that other examiners search had high impact on examination
- Serial search process
 - 🌐 Examiners appear to focus on national search tools
 - References cited predominately of national origin
 - Prior search did not reduce search expectation for US examiners
 - 🌐 Office search order variations complicated processing functions in offices
 - 🌐 Difference in action date to applicants reduced applicant's ability to coordinate response



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CSP – KIPO 1.0 Findings

- Parallel search process
 - 🌐 Examiners focus on national search tools
 - References cited predominately of national origin
- Applicants had to cite references from KIPO in response to USPTO
- Examiners not able to consider KIPO references prior to search report
 - 🌐 Applicants uncertain of US examiners interpretation of KIPO art



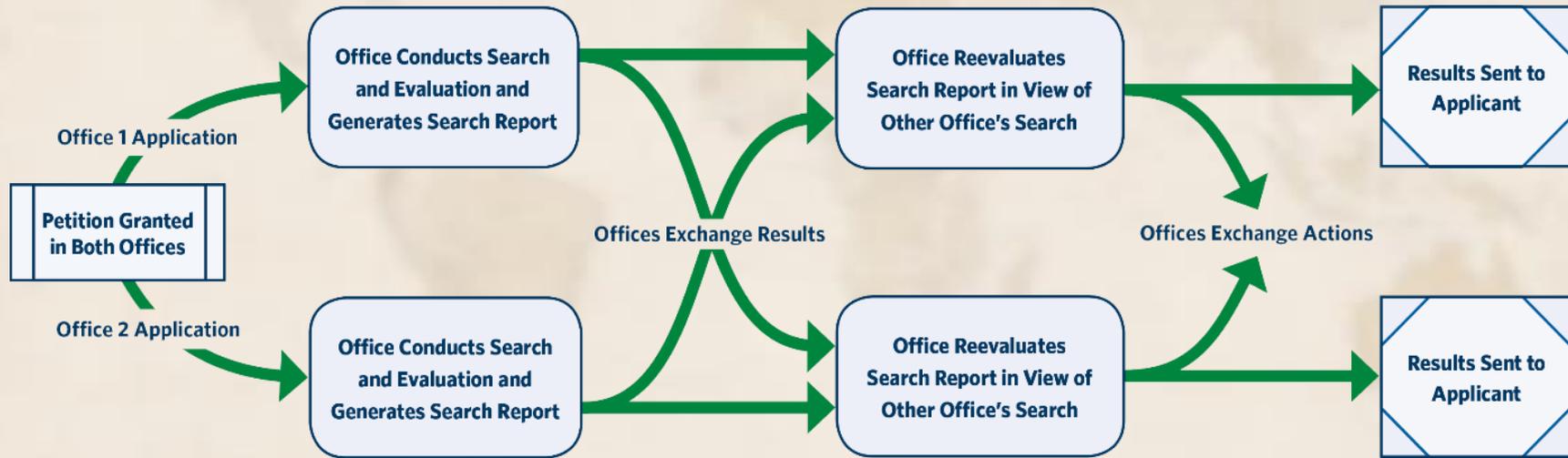
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CSP 2.0 – Proposed Process

Collaborative Search Pilot

Next Generation



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CSP Program Framework – Application Eligibility

- National utility applications that have not started search or examination in the offices in which a request is filed are eligible for examination under the CSP program.
- Applications must share a common earliest priority date and the disclosures must support the claimed subject matter as of a common date.
- Applications are not limited or advantaged by technology, country of earliest priority, assignee, or inventor.



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CSP Marketing

We are going to be increasing our marketing efforts for CSP 2.0

- [Website](#)
- On-site and video presentations with your clients
- Postcards
- Forums, conferences, etc.

Please help communicate to your stakeholders the benefits of using CSP:



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A detailed technical drawing of a mechanical assembly, possibly a piston and crank mechanism, rendered in a light tan color on a white background. The drawing includes various parts with hatching and is annotated with numerous numerical callouts such as 18, 30, 40, 22, 26, 68, 34, 32, 52, 84, 86, and 82. The drawing is slightly blurred and has a wavy, aged appearance.

Thank you for your time.

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